REMARKS

In response to the Office Action of December 28, 2011, claim 15 has been amended.

Claims 15-18 are pending in the application.

In paragraph 4 on page 2 of the Office Action, claims 15-18 were rejected under 35

U.S.C. § 103(b) as being unpatentable over Boucher in view of Miller.

Applicant respectfully traverses the rejection, but in the interest of expediting

prosecution has amended claim 15.

Independent claim 15 sets forth generating, at a headend of a broadband content

distribution network, a plurality of frame sequences of graphics and video to form a

plurality of interactive program guide user interfaces, encoding, at the headend, the

plurality of interactive program guide user interfaces to each include an identifier for

uniquely identifying each of the plurality of interactive program guide user interfaces,

modulating, at a headend, the plurality of encoded interactive program guide user interfaces

to produce an interactive program guide stream, combining, at the headend, the interactive

program guide stream and a bit stream for audio and video of a broadcast video program to

form a transport stream for broadcast to all subscribers in the broadband content

distribution network, transmitting the transport stream to a plurality of set top terminals of

all subscribers in the broadband content distribution network via an in-band channel of the

broadband content distribution network, in response to a selection signal providing an

identifier to a first set top terminal of the plurality of set top terminals for identifying one of

the plurality of interactive program guide user interfaces, extracting, at a set-top terminal, a

selected interactive program guide user interface associated with the identifier for

immediate presentation on a viewer's equipment, determining, at the first set-top terminal, a view action of moving a cursor to a lookahead time interval within the selected interactive program guide user interface presented on the viewer's equipment, in response to the determined view action, sending a request from the first set-top terminal to a session manager at the headend via a bi-directional out-of-band channel of the broadband content distribution network for an interactive program guide page corresponding to the determined view action, retrieving, at the headend, the interactive program guide page corresponding to the determined view action, combining, at the headend, the interactive program guide page corresponding to the determined view action and a bit stream for audio and video of a broadcast video program to form a transport stream and transmitting the transport stream to the first set top terminal for extraction, at the first set-top terminal, the interactive program guide page corresponding to the determined view action is presented in the selected interactive program guide user interface on the viewer's equipment.

In contrast, Boucher discloses creating an interactive program guide. However, Boucher discloses that a presentation includes images and a destination address. Each image in the presentation is uniquely identified to correspond to the requesting user. Thus, Boucher discloses that each presentation is individually selectable for delivery to a client making such selection. Boucher does not suggest combining, at a headend, an interactive program guide stream and a bit stream for audio and video of a broadcast video program to form a transport stream for broadcast to all subscribers in the broadband content distribution network. In fact, Boucher teaches away form a "broadcast" by disclosing that each presentation is individually selectable for delivery to a client making such selection.

Boucher also fails to disclose sending a request from a first set-top terminal to a session manager at the headend via a bi-directional out-of-band channel of the broadband content distribution network for an interactive program guide page corresponding to a determined view action. Boucher discloses that the out-of-band channel provided by out-of-band server 315 is configured to provide only downstream signals.

Boucher further fails to disclose transmitting only an interactive program guide page corresponding to the determined view action to the requesting set top terminal. Boucher does not mention transmitting only an interactive program guide page corresponding to the determined view action to the requesting set top terminal.

Accordingly, Boucher fails to disclose, teach or suggest the element s set forth in independent claim 15.

Miller fails to overcome the deficiencies of Boucher. Miller is cited as disclosing determining, at the set-top terminal, a view action of moving a cursor to a lookahead time interval within the presented interactive program guide user interface and, in response to the determined view action, presenting the interactive program guide page corresponding to the determined view action to present the interactive program guide page corresponding to the determined view action on the viewer's equipment.

However, Miller also fails to disclose, teach or suggest transmitting only an interactive program guide page corresponding to the determined view action to the requesting set top terminal. Miller discloses that a user may navigate to a different time interval or to a different channel. Nevertheless, Miller discloses that a microcontroller captures electronic program guide application software updates and uses the received

program schedule information to build a database by storing the data. The stored schedule information is only updated on a periodic basis, such as hourly, daily or weekly, or at any time when changes in scheduling or other factors warrant an update.

Thus, Miller fails to disclose, teach or suggest transmitting only an interactive program guide page corresponding to a determined view action by a subscriber.

Miller also fails to disclose combining, at a headend, an interactive program guide stream and a bit stream for audio and video of a broadcast video program to form a transport stream for broadcast to all subscribers in the broadband content distribution network. Miller discloses that an input signal is received as part of a standard broadcast, cablecast or satellite transmission, or other form of data transmission. However Miller does not disclose that a separate interactive program guide stream and a bit stream of a broadcast video program are combined to form a transport stream that is broadcast to all subscribers.

Miller also fails to disclose sending a request from a first set-top terminal to a session manager at the headend via a bi-directional out-of-band channel of the broadband content distribution network for an interactive program guide page corresponding to a determined view action. Miller does not mention sending a request from a first set-top terminal to a session manager at the headend. Miller also does not mention sending a request for an interactive program guide page corresponding to a determined view action.

Thus, Boucher and Miller, alone or in combination, fail to disclose, teach or suggest the invention as defined in independent claim 15.

Dependent claims 16-18 are also patentable over the references, because they incorporate all of the limitations of the corresponding independent claim 15. Further dependent claims 16-18 recite additional novel elements and limitations. Applicants reserve the right to argue independently the patentability of these additional novel aspects. Therefore, Applicants respectfully submit that dependent claims 16-18 are patentable over the cited references.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, Christopher J. Leonard, at 865-380-5975. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 13-2725 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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